

## REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in substantially the same order in which the corresponding issues were raised in the Office action.

### Status of the Claims

Claims 1-17 are pending. Claims 1-3 are currently amended. No claims are canceled. Claims 13-17 are added. No new matter has been added. The specification provides support for the amendments, for example, at page 7, lines 9-28, page 8, lines 15-19, and Figures 2-3.

### Summary of the Office Action

Claims 2 and 3 stand objected to because of informalities.

Claims 1-3 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,272,929 to Hanson (hereinafter "Hanson") in view of Applicants Admitted Prior Art (hereinafter "AAPA").

Claims 4, 5, and 8, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson in view of AAPA, in further view of U.S. Patent No. 2,987,855 to Singleton et al. (hereinafter "Singleton").

### Response to Objections

Claims 2 and 3 stand objected to because of informalities. In particular, the Office action states that the phrase "in particular" is recited and renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. Applicant respectfully submits that claims 2 and 3 have been amended to remove in particular, and requests that the objection to claims 2 and 3 be withdrawn.

### Response to Rejections under 35 U.S.C. § 103(a)

The Office action rejected claims 1-3 and 9-12 under 35 U.S.C. § 103(a) as being unpatentable Hanson in view of AAPA. Applicant respectfully requests withdrawal of these

rejections because the combination of cited references fails to teach or suggest all of the limitations of the claims.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanson in view of AAPA. Applicant respectfully submits that claim 1, as amended, puts the claim in condition for allowance because the combination does not teach or suggest all of the limitations of the claim. Claim 1, as amended, recites:

A tower, in particular for a wind energy turbine, comprising:  
a first tower segment having a wall comprising concrete material and  
a second tower segment having a wall comprising steel,  
wherein the wall of the second tower segment comprises an end  
portion embedded in an embedment portion of the wall of the first tower  
segment, and  
wherein the second tower segment within its embedded end portion  
comprises a plurality of anchoring elements projecting radially from an inner  
surface of the wall of the second tower segment, **the plurality of anchoring  
elements being arranged along an axial direction of the second tower  
segment to prevent internal force concentrations within the wall of the  
first tower segment.** (Emphasis added)

Applicant respectfully submits that claim 1 requires a plurality of anchoring elements projecting radially **from an inner surface of the wall of the second tower segment**, the plurality of anchoring elements being arranged along an axial direction of the second tower segment to prevent internal force concentrations within the wall of the first tower segment. Hanson and AAPA, either alone or in combination, do not teach or suggest at least this limitation of the claim.

Hanson is directed to a tower for a wind generator, the tower having multiple segments, where each segment fits into the one below it. The lower segment is anchored in the ground and includes a stirrup which holds the lowest section of the tower a distance above the bottom of the hole so that when cement is poured into the hole to anchor the tower, the cement flows up into the interior of the tower to give additional support. Hanson, Abstract. More specifically, Hanson describes the tower 10 of Figure 1 as having multiple sections, 12, 14, 16, with the lowest section 12 embedded in cement 18 to anchor and hold it erect. *Id.* at col. 2, lines 18-21. Hanson teaches a portion of the lower section 12, which is inserted into a hole 32 in the ground and surrounded by concrete 18, and has cross bars 34 to which cage 36 is attached. *Id.* at lines 43-47. The cross bars 34 of Hanson, however, project

outward from the outer surface of the lower section 12, as illustrated in Figs. 1 and 3, to allow the cage 36 to be attached. The cross bars 34 of Hanson do not constitute the “plurality of anchoring elements projecting radially from an inner surface of the wall of the second tower segment,” as recited in claim 1 because the cross bars 34 *project outwardly from an outer surface of the lower section 12*. As such, Hanson fails to teach at least this limitation of the claim.

Moreover, the Examiner asserts that the cross bars 34 and the cage 36 (alleged anchoring elements) are capable of preventing an internal force of concentrations within the wall of the first tower segment. Office action, mailed Nov. 3, 2008, page 3. Applicant respectfully disagrees. Hanson expressly teaches that the cage 36 is attached to the cross bars 34 by wire 278, and “does not need to be very strong since its only purpose is to join the cage to cross bars during positioning.” Hanson, col. 2, lines 47-50. Hanson further teaches that the “cage is included to strengthen the cement surrounding the towers, and since its purpose is to hold the cement together, attachment to the tower itself is not important except in the aiding of erection.” *Id.* at lines 50-54. These teachings show that the cage 36 and cross bars 34 of Hanson are not capable of preventing an internal force of concentrations within the concrete because the cross bars and cage are only connected with a weak wire for positioning and erection purposes, not for preventing internal force concentrations with the cement wall of Hanson. As such, Hanson fails to teach that “the plurality of anchoring elements being arranged along an axial direction of the second tower segment to prevent internal force concentrations within the wall of the first tower segment,” as recited in claim 1.

The AAPA fails to cure these deficiencies. Accordingly, the combination of cited references fails to teach or suggest all the limitations of the claim.

Given that the combination of cited references fails to teach or suggest all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited references. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

Given that claims 2-12 depend from independent claim 1, which is patentable over the cited references, Applicant respectfully submits that dependent claims 2-17 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 2-12 under 35 U.S.C. § 103(a) be withdrawn.

## CONCLUSION

It is respectfully submitted that in view of the amendments and remarks set forth herein, the rejections and objections have been overcome. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Kevin Grange at (408) 720-8300.

If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

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